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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/749,311

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EXAMINER

DARNO, PATRICK A

ART UNIT

PAPER NUMBER

2163

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/749,311

Applicant(s)

LEE ET AL.

Examiner

PATRICK A. DARNO

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-3 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. No new claims have been added. Claims 4-8 are canceled. Claim 1 has been amended. Claims 1-3 are pending in this office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication Number 2006/0004731 issued to John C. Seibel et al. (hereinafter “Seibel”).

Claim 1:

Seibel discloses a system for visually mining information, the system comprising an application server (*Seibel: paragraph [0054], lines 7-9*), wherein the application server comprises:

an auto-count module for obtaining data from a designated database (*Seibel: paragraph [0054], lines 5-10*), and for generating a structured information report according to obtained data by processing a command transmitted from a client computer (*Seibel: paragraph [0055]*);

a data mining module for mining data from the structured information report (*Seibel: paragraph [0068] and paragraph [0069], lines 1-3 and paragraph [0049], lines 12-13; The first two references show that the Seibel reference discloses data mining (text mining). The last reference shows that the data which is mined can be 'structured data'.*), the data mining module comprising:

a parameter obtaining sub-module for obtaining mining parameters and a scanning command from the client computer (Seibel: paragraph [0071], lines 1-4 and paragraph [0071], lines 9-11 and paragraph [0071], lines 14-16; Note that the user is capable of setting parameters that influence the mining process. Since the user can set parameters (depth and frequency of crawling, newsgroup names and display format, mailing list names and addresses), surely there is some module in place to execute the text mining in accordance with these parameters.); and

a querying sub-module for querying data from the structured information report in accordance with the mining parameters (Seibel: paragraph [0112], lines 6-9); and a dynamic scanning module (Seibel: paragraph [0071]; The web crawler is the scanning module.) comprising:

a scanning sub-module for scanning the structured information report according to the scanning command (Seibel: paragraph [0071] and paragraph [0035], lines 8-10; The web crawler is the scanning module.);

an identifying sub-module for identifying whether data stored in a field of the structured information report match the mining parameters (Seibel: paragraph [0038], lines 3-6 and paragraph [0071] and paragraph [0105], lines 3-5 and paragraph [0112], lines 6-9); and

a marking sub-module for marking an identified field of the structured information report with a designated mark to from a marked field (Seibel: paragraph [0019], lines 8-12 and paragraph [0074], lines 6-9 and paragraph [0049], lines 12-13; Note specifically 'key phrase highlighting based on...search criteria.' This is highlighting of search keys is equivalent to the Applicant's claimed 'marking an identified field of the structured information report with a designated mark.' See paragraph [0032], lines 10-12 of the Applicant's specification (US Application Publication Number 2004/0158552) and Applicant's Fig. 7. Also note that the last reference from paragraph [0049] shows that the returned data can be structured data.).

Claim 2:

Seibel discloses all the elements of claim 1, as noted above, and Seibel further discloses wherein the data mining module further comprises a parameter setting sub-module for generating an SQL (Structured Query Language) sentence in accordance with the mining parameters (*Seibel: paragraph [0051] and paragraph [0052]; Note that predefined queries are "parameterized" in order to extract specific data from desired data sources. Further note that a system running MS SQL server can implement the invention. Surely a query ran on a system using MS SQL server would be a SQL query statement.*).

Claim 3:

Seibel discloses all the elements of claim 1, as noted above, and Seibel further discloses wherein the scanning sub-module comprises a scanning needle for scanning each of the fields of the structured information report (*Seibel: paragraph [0071] and paragraph [0035], lines 8-10; The web crawler scans each document, structured or unstructured (Seibel: paragraph [0035], lines 8-10), in the desired data collection. At the very least, the web crawler scans each document from the beginning of the document to the end of the document while looking for data that matches the user's search parameters. During this 'scanning' process from the beginning of the document to the end of the document, the furthest location that the crawler has reached (the line between searched document portion and unsearched document portion) is the scanning needle.*).

Response to Arguments

Applicant Argues:

According to these disclosures of Seibel, a key phrase or a keyword can be highlighted based on a search criteria, and a keyword can be highlighted to rapidly locate relevant areas of a text. However, the claimed feature of **"an identified field of the structured information report"** is not disclosed or taught by Seibel. As claimed in claim 1, the feature of **"an identified field"** relates to an area that includes one or more numbers/words, or can be inputted one or more numbers/words. Such feature is supported by paragraph [0031] of the present application, as originally filed, and is not mentioned at all in Seibel.

That is, the presently claimed feature of **"an identified field"** is apparent different from a key phrase or keyword disclosed by Seibel.

Examiner Responds:

Examiner is not persuaded. The Examiner sets forth that Seibel discloses "an identified field of the structured information report" [Seibel: paragraph [0019], lines 8-12 and paragraph [0074], lines 6-9 and paragraph [0049], lines 12-13].

First, note that a "field", in computer science, can reasonably be defined as "a set of one or more adjacent characters comprising a unit of information¹." Since a keyword in a document is simply a set of one or more adjacent characters, which together, comprise a unit of information (a collection of characters here can be a word), it appears that Seibel does in fact disclose a "field". Furthermore, this interpretation of a field even meets one of the definitions provided by the Applicant above (a field is an area comprising one word.).

Based upon the above explanation, it appears to be clear that Seibel discloses a field. Proceeding further, the Examiner sets forth that Seibel discloses "an identified field." The identified field in Seibel is the field (keyword comprising adjacent characters) which is highlighted because it matched a keyword search [Seibel: paragraph [0019], lines 8-12 and paragraph [0074], lines 6-9]. The particular keyword (field) was highlighted (marked) because it was identified as matching the search term. Finally, note that the documents returned in the Seibel reference can be structured documents [Seibel: paragraph [0049], lines 12-13].

In light of the Examiner's response above, it appears to be clear that Seibel discloses "an identified field of a structured information report" [Seibel: paragraph [0019], lines 8-12 and paragraph [0074], lines 6-9 and paragraph [0049], lines 12-13].

Since each and every element of the Applicant's claimed invention is either disclosed or suggested by the prior art of record, the claims remain rejected under the reasons set forth in the preceding office action.

Applicant Argues:

Furthermore, Seibel does not disclose or teach what the search criteria is, and how to highlight the key phase or the keyword. That is, the presently claimed feature of **"a designated mark"** used to mark the identified field of the structured information report is not disclosed or taught by Seibel. Accordingly, Applicant submits that Seibel fails to disclose or teach the feature of **"a marking sub-module for marking an identified field of the structured information report with a designated mark to form a marked field,"** as recited in claim 1.

Examiner Responds:

Examiner is not persuaded. The Examiner asserts that Seibel discloses "a marking sub-module for marking an identified field of the structured information report with a designated mark to form a marked field" [Seibel: paragraph [0019], lines 8-12 and paragraph [0074], lines 6-9 and paragraph [0049], lines 12-13].

Paragraph [0032], lines 10-12 of the Applicant's Published Specification [US 2004/0158552] clearly recites, "[t]he marking sub-module **1224** marks any data matching the SQL sentence with a designated color in the structure information report". Based upon this portion of the Applicant's specification, it appears to be reasonable to interpret the "marking of any data matching the SQL sentence" as the highlighting of words in a document which match the terms of a search query.

The Examiner has shown that Seibel discloses the highlighting of words in a document which match the terms of a search query [Seibel: paragraph [0019], lines 8-12 and paragraph [0074], lines

¹ This definition was provided by using the Google define function. A copy of the definitions for the word field returned by the use of the Google define function is included as an attachment to this office action.

6-9 and paragraph [0049], lines 12-13].

Since it appears that each and every element of the Applicant's claimed invention is either disclosed or suggested by the prior art of record, the claims remain rejected under the reasons set forth in the preceding office action.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick A. Darno whose telephone number is (571) 272-0788. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung T Vy/
Primary Examiner, Art Unit 2163

/Patrick A. Darno/
Examiner
Art Unit 2163
07-21-2008

PAD